PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: G. Gundling

Application No.: 09/470,944

Filed: December 22, 1999

Title: NUCLEIC ACID ISOLATION METHOD AND KIT

Case No.: 6653.US.01

Group Art No.: 1656

Examiner: A. Spiegler

Assistant Commissioner for Patents
Washington, D.C. 20231

ATTACHMENT TO AMENDMENT B

Dear Sir:

In conjunction with the response to the Office Action dated March 9, 2001 and designated Amendment B by the applicant, please note that claims 1 and 11 have been amended by substitution to effect the changes indicated below.

1. (Twice Amended) A method for separating nucleic acid from a test sample comprising:

a) contacting a test sample with a metal oxide support material and a binding buffer [to form nucleic acid/metal oxide complexes] <u>such that the nucleic acid bonds with the metal oxide support material</u>,

wherein the binding buffer comprises a chaotropic agent and a detergent;

b) separating the complexes from the test sample; and

c) eluting the nucleic acid from the metal oxide support material, thereby separating the nucleic acid from the test sample.

11. (Twice Amended) A kit for separating nucleic acid from a test sample comprising:

a) metal oxide particles comprising metal oxide, wherein [the metal oxide particles are capable of forming nucleic acid/metal oxide complexes] when the metal oxide particles are contacted with nucleic acids, the nucleic acid bonds with the metal oxide;

b) a binding buffer comprising

(i) a chaotropic reagent, and

(ii) a detergent; and

c) an elution buffer comprising water.